

1. The drawings are objected to because reference numeral "66" (pg. 7 ln. 18) is missing, reference numeral "121" (pg. 8 ln. 28) is missing, "22" apparently should be --122-- in Fig. 8 (pg. 8 ln. 29), and in Figs. 8-10 reference numerals such as "11", "14", "18", "23", etc. apparently should include prime designations (or equivalent) to denote different structure from that illustrated in Figs. 1-7. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The disclosure is objected to because of the following informalities: Page 8, line 6, "83" apparently should be --80--, and line 25, "16" apparently should be --18'--. Appropriate correction is required.

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Proper antecedent basis for the "supported by the housing" feature set forth in claim 1 (lns. 3 and 5), "sleeve" set forth in claim 4, and subject matter set forth in claims 10 and 11, could not be found in the specification. Applicant is reminded claim terminology in mechanical cases should appear in the descriptive portion of the specification by reference to the drawing(s).

4. Claims 2 and 4-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 is unclear as to the relationship between the "biased" feature on line 2 thereof, and the "supported by the housing" on line 5 of claim 1.

Claim 4 is unclear as to the relationship between the "resiliently depressible" feature on line 3 thereof, and the "supported by the housing" on line 5 of claim 1.

Claim 5 is unclear as to the relationship between the "apertures" on line 3 thereof, and the "inlet" feature on lines 2-3 of claim 1.

Claim 6 lacks sufficient antecedent basis for "the grate" on line 2.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sperry and Vidal.

The Sperry reference (Fig. 5) discloses an assembly comprising: a housing 30; a grate 33 including a sleeve (at 33a). Therefore, Sperry teaches all claimed elements except for the provision of bristles.

Although the grate of the Sperry drain does not include bristles, as claimed, attention is directed to the Vidal reference which discloses an analogous drain which further includes a grate 19 (Fig. 12) having bristles 12 (Fig. 8). Therefore, in consideration of Vidal, it would have been obvious to one of ordinary skill in the drain art to associate bristles with the Sperry grate in order to prevent unwanted objects from entering the drain. When the bristles taught by Vidal are associated with the Sperry grate, the resulting assembly would meet the structure defined the term "brush" recited in claim 1.

7. Applicant is referred to MPEP 714.02 and 608.01(o) in responding to this Office action.

8. Any inquiry concerning this communication should be directed to Robert M. Fetsuga at telephone number 571/272-4886

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